



## A Critical Evaluation of the Relevance of Design Thinking for Lawyers

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# DESIGN THINKING: THINKING LIKE A (FUTURE) LAWYER

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## Twelve potentially economically disruptive technologies

The noise about the next big thing can make it difficult to identify which technologies truly matter. The McKinsey Global Institute has attempted to sort through the many claims in order to identify the technologies that have the greatest potential to drive substantial economic impact and disruption by 2025. The technologies identified below have potential to affect billions of consumers, hundreds of millions of workers and trillions of dollars of economic activity across industries.



**Mobile Internet** Increasingly inexpensive and capable mobile computing devices and Internet connectivity



**Autonomous and near-autonomous vehicles** Vehicles that can navigate and operate with reduced or no human intervention



**Next-generation genomics** Fast, low-cost gene sequencing, advanced big data analytics, and synthetic biology ("writing" DNA)



**Energy storage** Devices or systems that store energy for later use, including batteries



**3D printing** Additive

**Automation of knowledge work** Intelligent software systems that can perform knowledge work tasks involving unstructured commands and subtle judgements.



**The Internet of Things** Networks of low-cost sensors and actuators for data collection, monitoring, decision-making and process optimization



**Cloud technology** Use of computer hardware and software resources delivered over a network or the Internet, often as a service



**Advanced robotics** Increasingly capable robots with enhanced senses, dexterity and intelligence used to automate tasks or augment humans



**Advanced oil and gas exploration and recovery** Exploration and recovery techniques that make extraction of unconventional oil and gas economical



**Renewable energy** Generation of electricity from renewable sources with reduced harmful climate impact

Source: *Disruptive technologies: Advances that will transform life, business, and the global economy* – McKinsey Global Institute

**This Silicon Valley start-up wants to replace lawyers with robots**

**BigLaw 'rapidly' losing out to NewLaw counterparts**

**What lawyers are doing now 'won't be good enough in a few years' time'**

**Law firms a 'Dickensian novel' in cyber-physical battle**

**Law firm without lawyers opens its doors**



**Law grad has a 'perfect resume' but can't get a job**

**Algorithms or advocacy: does the legal profession have a future in a digital world?**

Brian Simpson 

Pages 50-61 | Published online: 18 Jan 2016

**THE NEW NORMAL**

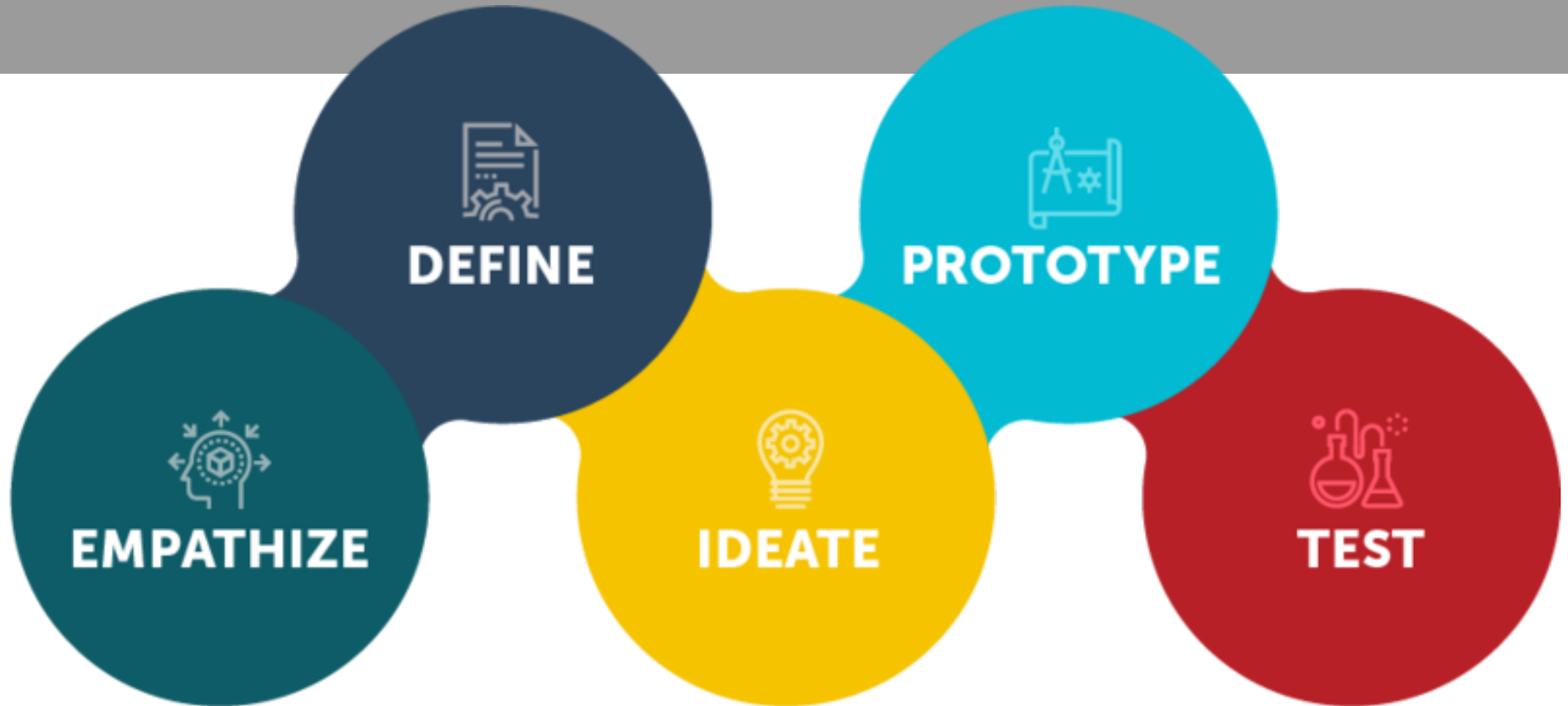
**The End of Lawyers, Period.**





# The Problem

# What is design thinking?





by  
Margaret  
Hagan



## 0. Introduction

1. Legal Design >

2. Design Mindsets >

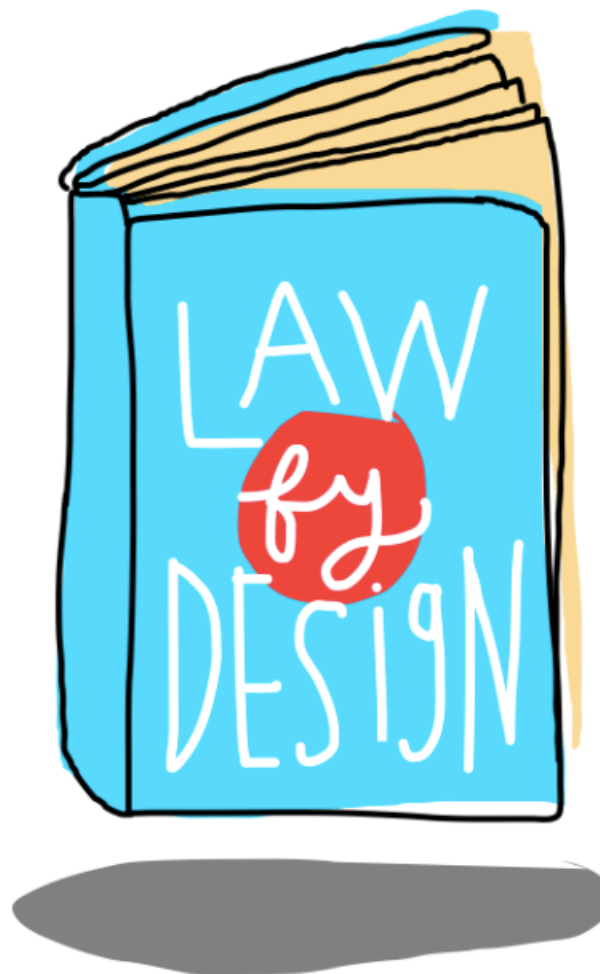
3. Design Process For  
Lawyers >

4. Legal Design Mechanics >

5. A New Culture For Legal  
Orgs (Coming Soon)

6. A Future Agenda

About + Feedback



We can make the world of legal services & legal practice  
better through design.





Legal Reasoning

v



Design Thinking



A high-angle, close-up photograph of a group of people sitting around a dark table, engaged in a collaborative work session. In the center, a silver laptop is open, displaying a colorful dashboard with various charts and graphs. To the left, a person's hand is visible, holding a red pen and pointing at a document. Another person's hand is pointing at the laptop screen. The table is covered with several sheets of paper, some of which contain handwritten notes and diagrams. The background is slightly blurred, showing more people and a casual office environment. The overall lighting is soft and focused on the work area.

# The Potential Benefits





# The Critique



# TEACHING DESIGN THINKING

1. HACKATHONS
2. PROBLEM-BASED LEARNING
3. CLINICS
4. INCUBATORS
5. EMBEDDING DESIGN THINKING ACROSS THE CURRICULUM





# —— LPS :: The VLS Course ——

*Legal Problem Solving* (LPS) is a Vanderbilt Law School course in which students use 21st-century methods to design creative solutions to 21st-century legal services delivery problems. LPS is part of Vanderbilt's Program on Law and Innovation.

## Course Overview

"The traditional law practice business model constrains innovations that would provide greater access to, and enhance the delivery of, legal services." This finding, a key part of the [American Bar Association's 2016 Report on the Future of Legal Services](#), confirms that innovation in the delivery of legal services is both necessary and inevitable to meet the needs of ALL legal services consumers. Specifically, the Report recommends, "[t]he legal profession should partner with other disciplines and the public for insights about innovating the delivery of legal services."

*Legal Problem Solving* acts on this recommendation. Starting from a historical context for the current state of legal services delivery, this course introduces human centered design thinking and other proven creative problem-solving constructs to provide a client-centered focus for creating innovative and effective methods of delivering legal services to a wide range of consumers in the 21st century.

To borrow from Professor JB Ruhl's syllabus for [Law 2050](#), **this is an unusual law school course — by design**. The forces shaping legal services delivery — the very forces that will shape professional opportunities for today's law students — are not adequately addressed by the traditional law school curriculum. This course seeks to fill in the gaps, to give soon-to-be lawyers the tools, methods, and processes required to meet client needs while designing sustainable, healthy ways of practicing law.

## Human Centered Design Thinking

The primary lens for work in this course is Human Centered Design Thinking ("HCDT"), a fluid framework for discovering problems, ideating solutions, and iterating to continuously improve solutions. HCDT provides a methodology for considering both legal service delivery challenges, as well as clients' legal problems. The HCDT method also serves as a tool individual law students can use to craft a rewarding, successful legal career.

Ultimately, this course is about doing, creating, and making — from the client's perspective. The reading is front-end loaded, as the required texts help explain tools, methods, and concepts we will use to "do" collaborative legal problem solving as the semester progresses.



The image shows a vast, empty auditorium with rows of brown upholstered seats. The seats are arranged in a tiered fashion, sloping upwards from the foreground towards the back. The background features a large, light-colored concrete wall with visible vertical seams and small circular indentations. The lighting is soft and even, highlighting the texture of the seats and the wall. A semi-transparent dark horizontal band is positioned across the middle of the image, serving as a background for the title text.

# The Challenges



## A New Law Degree



The 'BLX' will offer interdisciplinary study and experiential learning to equip legal professionals at the interface of technology and law.



## We would like your help with designing a new law degree...

It is difficult to imagine the future of legal practice in the next 20 years. The profession is facing significant change in the face of blockchain, artificial intelligence, robots and automated vehicles... to name a few of the technologies already affecting society.

In the same way, we need to be thinking differently about legal education. How will we educate the lawyers of the future? What sort of work will lawyers do in 20 years' time? **Will society even need lawyers?**

Technology is already transforming the way law is practised... but it is not making lawyers obsolete. **There are critical thinking, creative thinking and interpersonal skills that only human lawyers can exercise.**

However we can see change afoot, and recognise that there is a host of other skills that will be called upon to solve legal problems into the future. **At Bond, we see a need for a new type of legal expert.** One that doesn't provide legal advice, but instead facilitates the design and delivery of technology-enhanced legal services and legal solutions.

**At Bond University, we want to design a new type of legal qualification.**

**We want to create a new generation of law school graduates, equipped with creative and technical skills as well as legal skills.** This new qualification will not replace the traditional legal degree.

The graduates of this new law program will be able to read the law, without necessarily being 'learned in the law'. They will possess a high level of understanding of new technologies and their intersection with the law. They will know how to use technology to solve legal problems. **With an understanding of the law combined with an ability to make sense of a rapidly changing environment, they will work closely with lawyers and help to guide the profession into the unknown.**

To make this vision a reality, we need your help.

**This is your invitation to share with us your experience and insight, informing the structure and content of this brand new type of qualification.**

Contact us to let us know your thoughts.



[bond.edu.au/cple](http://bond.edu.au/cple)

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**where**

**do we go**

Conclusions

**from**

**here?**

A dark blue textured background with various stationery items scattered around. In the top left, there is a wooden ruler with yellow markings and numbers. Below it, a silver binder clip is visible. A silver pencil lies diagonally across the top left. In the center, there is a small roll of yellow and white patterned tape, a silver binder clip, and a small yellow and white object. A silver pencil lies diagonally across the center. In the bottom left, there is a silver binder clip, a roll of yellow and white patterned tape, and a silver pencil. A small yellow and white object is also visible near the bottom center. The text is centered in the middle of the image, overlaid on a semi-transparent dark grey rectangle.

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